

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	)	Group Art Unit: 1644
	)	
LAHN et al.	)	Examiner: Schwadron, R.B.
	)	
Serial No.: 09/826,319	)	Confirmation No.: 4155
	)	
Filed: April 3, 2001	)	
	)	
Atty. File No.: 2879-80	)	<b><u>REPLY TO NOTIFICATION OF</u></b>
	)	<b><u>NON-COMPLIANT</u></b>
	)	<b><u>APPEAL BRIEF</u></b>
For: "METHOD TO INHIBIT AIRWAY	)	
HYPERRESPONSIVENESS USING	)	
AEROSOLIZED T CELL RECEPTOR	)	<b>ELECTRONIC SUBMISSION</b>
ANTIBODIES"	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

This Reply is filed in response to the Notification of Non-Compliant Appeal Brief, mailed on October 25, 2006. This reply is believed to be timely, and therefore, no fees are enclosed. In the event that fees are due in connection with this reply, please debit Deposit Account No. 19-1970.

In the Notification of Non-Compliant Appeal Brief, the Examiner indicated that the brief did not contain a copy of the Fahy et al., 1999, referenced that was cited in (IX) Evidence Appendix.

Referring to (IX) Evidence Appendix of the Appeal Brief filed on August 22, 2006, the references of Fahy et al. and U.S. Patent No. 6,165,463 are indicated to be attached following page 36 of the Appeal Brief. The Appeal Brief was filed electronically, and so the references of Fahy et al. and U.S. Patent No. 6,165,463 were attached as separate pdf documents from the Appeal Brief in the filing, all labeled in the USPTO system as "Appeal Brief Filed". The Image File Wrapper for this application in the USPTO PAIR system shows that the references of Fahy et al. and U.S. Patent No. 6,165,463 are present in the system following the actual Appeal Brief document as filed on August 22, 2006. Accordingly, it is believed that the Appeal Brief was fully compliant as originally filed.

*Application/Control No. 09/826,319*  
*Art Unit 1644*

However, to expedite the Examiner's review of the Appeal Brief, Applicants are enclosing herewith as a separate pdf file, a new, amended Appeal Brief, in which the evidence references of Fahy et al. and U.S. Patent No. 6,165,463 are directly attached to the same pdf file containing the Appeal Brief, immediately following page 36 of the Appeal Brief, as indicated in the Evidence Appendix. The remainder of the Appeal Brief, with the exception of cover page 1, is identical to that filed on August 22, 2006.

It is believed that the Notification of Non-Compliant Appeal Brief has been addressed in full. Any questions or concerns regarding this reply should be addressed to the below-named agent at (303) 863-9700.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:   
Angela Dallas Sebor  
Registration No. 42,460  
1560 Broadway, Suite 1200  
Denver, CO 80202-5141  
(303) 863-9700

Date: 20 November 2006